

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

CHRISTIAN DEVLON GETTIS

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CIVIL NO. JFM-14-952
CRIMINAL NO. JFM-11-003

MEMORANDUM

Christian Devlon Gettis has filed a motion under 28 U.S.C. §2255 challenging the 192-month sentence imposed upon him on the ground that after the decisions in *Descamps v. United States*, 130 S. Ct. 2276 (2013) and *United States v. Royal*, 731 F.3d 333 (4th Cir. 2013), he is no longer a career offender and his sentence therefore was wrongfully imposed. The motion will be denied.

Gettis never challenged the conditions that led to his career offender status. Thus, he may have procedurally defaulted the claim that he now seeks to assert. In any event, Gettis was not sentenced as a career offender but within the Guideline range provided for an offense level 34 and criminal history category III. His sentence was only four months higher than the low end of the resulting Guideline range of 188 to 235 months.

For these reasons Gettis' motion is without merit.

Date: 9/15/16

J. Frederick Motz
United States District Judge

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DISTRICT OF MARYLAND
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